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EXAMINER

WILLIAMS, JEFFERY L

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/579,668	<b>Applicant(s)</b> AOKI ET AL.	
	<b>Examiner</b> JEFFERY WILLIAMS	<b>Art Unit</b> 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

This action is in response to the communication filed on 6/22/09.  
All objections and rejections not set forth below have been withdrawn.  
Claims 1 – 14 are cancelled, claims 15 – 28 are pending.

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on 6/22/09 has been entered.

***Specification***

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The specification fails to provide proper antecedent basis for the recitations of "first software", "second software", "third software", "fourth software", "fifth software", "fifth

software that stops an operation executed by said input/output data when said fourth software determines”, “said fourth software determines whether...”, “...to user attributes acquired by said third software” [claim 15, and similarly claim 20], “sixth software”, “seventh software”, “wherein said sixth software determines authorization of the user to use said computer before execution of said third and fourth software”, “when the sixth software determines ...”, “...at least one of the third and fourth software” [claim 16], “sixth software that references”, “and compares input/output data acquired by said first software”, “wherein said fifth software stops...”, “...also when it is determined by said sixth software” [claim 17], “wherein said fifth software executes ... when said first software acquires...” [claim 18], and “wherein said fifth software stops ... when said first software acquires...” [claim 19].

***Claim Rejections - 35 USC § 112***

**The following is a quotation of the first paragraph of 35 U.S.C. 112:**

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

**Claims 15 - 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.** The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The examiner notes that the

1 applicant claims that the various categories of software recited as "first software",  
2 second software", etc. are identified by S01 - S08 of fig. 8 (Remarks, pg. 16). However,  
3 the examiner notes that such figure elements describe method steps. As, such, the  
4 applicant fails to point out where the new (or amended) claim is supported, nor does  
5 there appear to be a written description of the claim limitations in the application as filed  
6 (see above objection to the specification).

7  
8  
9 The following is a quotation of the second paragraph of 35 U.S.C. 112:

10 The specification shall conclude with one or more claims particularly pointing out and distinctly  
11 claiming the subject matter which the applicant regards as his invention.  
12

13 **Claims 15 - 20 are rejected under 35 U.S.C. 112, second paragraph, as**  
14 **being indefinite for failing to particularly point out and distinctly claim the subject**  
15 **matter which applicant regards as the invention.**  
16

17 Regarding claims 15 – 20, the recitations of a "first software", "second software",  
18 "third software" etc. lack any standard meaning to one of ordinary skill in the art. Where  
19 applicant acts as his or her own lexicographer the written description must clearly define  
20 the claim term so as to put one reasonably skilled in the art on notice of the applicants'  
21 intended definition. As the specification does not clearly redefine these terms, these  
22 terms indefinite and the scope of these claims are rendered indeterminate.

23  
24 All other claims depending upon the above rejected claims are rejected by virtue  
25 of dependency.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 15 – 26 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Rothermel et al. (Rothermel), U.S. Patent 6,678,827 B1.**

Regarding claim 15, as best understood, Rothermel discloses:

*first software that acquires input/output data that is input or output over a network that is connected to said computer, or over an externally connected bus that connects said computer with an external device (Rothermel, 7:50-53; 2:15-23);*

*second software that identifies ID information from said input/output data for identifying a user (Rothermel, 7:50-53; 2:15-23; 10:37-46; fig. 5c). Herein, Rothermal discloses that software ["second software"] identifies ID information (e.g. sender information, recipient information) from the input/output data;*

*third software that acquires at least part of user attribute data corresponding to said ID information from a user-information-storage unit that stores attribute information*

1 *for all users having authorization to use said computer* (Rothermel, 7:50-53; 2:15-23;  
2 4:49-56; fig. 5c – herein, the system acquires corresponding defined aliases or user  
3 data such as their network address, group information ["user attribute data"] in order to  
4 implement a enforce a policy);

5 *fourth software that determines whether said input/output data is invalid by*  
6 *reference to a determination-rule-storage unit that stores rules for determining whether*  
7 *said input/output data is invalid data* (Rothermel, 1:56-2:5; 7:50-53; 2:15-23; 11:46-58;  
8 4:49-56; fig. 5c – herein, the system references a policy comprising rules within a  
9 “determination-rule-storage” unit for determining valid/invalid data;

10 *and fifth software that stops an operation executed by said input/output data*  
11 *when said fourth software determines that said input/output data is invalid data*  
12 (Rothermel, 15:48-16:6 - herein, Rothermel discloses that invalid data may be blocked  
13 or manipulated thus preventing execution of unsafe data);

14 *wherein said determination-rule-storage unit stores determination rules that*  
15 *correspond to user attributes* (Rothermel, 10:36-65; fig. 5c); *and said fourth software*  
16 *determines whether said input/output data is invalid data in accordance with said*  
17 *determination rules that correspond to user attributed acquired by said third software*  
18 (Rothermel, fig. 1:131; 10:24-11:17; 7:49-53).

19  
20 Regarding claim 16, Rothermel discloses:

21 *sixth software that references said user-information-storage unit and determines*  
22 *whether the user corresponding to said ID information has authorization to use said*

1 *computer; and seventh software that stops operation by said input/output data when it is*  
2 *determined in the determination of authorization that there is no authorization to use*  
3 *said computer (Rothermel, 7:39-53; 5:14-17; 10:24-46; fig. 5c);*

4 *wherein said fifth software stops operation by said input/output data when said*  
5 *sixth software determines that there is not authorization to use said computer, wherein*  
6 *said sixth software determines authorization of the user to use said computer before*  
7 *execution of said third and fourth software, and when the sixth software determines that*  
8 *there is no authorization to use said computer, said program causes said computer to*  
9 *not execute at least one of the third and fourth software (Rothermel, 15:30-45).*

10  
11 Regarding claim 17, Rothermel discloses:

12 *sixth software that references a profile-storage unit that stores log data related to*  
13 *said input/output data as profiles for each user (Rothermel, 14:13-22 - herein,*  
14 *Rothermel discloses that the security software comprises logging means with the ability*  
15 *to reference log data (i.e. fig. 1:165),*

16 *and compares input/output data acquired by said first software with a normal*  
17 *operation trend of said user to determine whether operation is unusual; and wherein*  
18 *said fifth software stops an operation executed by said input/output data also when it is*  
19 *determined in said determining by said sixth software that operation is unusual*  
20 *(Rothermel, 1:56-2:5; 7:50-53; 2:15-23; 11:46-58; 4:49-56; 15:48-16:6— herein, the*  
21 *security software compares “input/output” data to the user and/or device’s allowable*  
22 *normal operation (i.e. “normal operation trend”) as defined by the system rules).*



Regarding claim 18, Rothermel discloses:  
*wherein said software executes a process of interrupting a session when said first software acquires said input/output data from a network* (Rothermel, 17:10-17 – Rothermel discloses interrupting a communication session).

Regarding claim 20, it is rejected, at least, for the same reasons as claims 15 – 18, and furthermore because Rothermel discloses:  
*fifth software that notifies a terminal being operated by said user or administrator that an operation being executed by said input/output data is an invalid operation when said fourth software determines whether said input/output data is invalid that said input/output data is invalid data* (Rothermel, 16:49-62).

Regarding claims 21 – 26 and 28, they comprise essentially similar recitations as claims 15 – 20, and they are rejected, at least, for the same reasons.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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1 invention was made to a person having ordinary skill in the art to which said subject matter pertains.  
2 Patentability shall not be negated by the manner in which the invention was made.  
3

4 **Claims 19 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable**  
5 **over Rothermel.**  
6

7 Regarding claims 19 and 27, Rothermel discloses stop the execution of data  
8 transmission (Rothermel, 2:9-23), and that the security software comprises drivers for  
9 executing data transmission (Rothermel, 6:15-19; 5:14-17). However, Rothermel does  
10 not appear to explicitly recite stopping the execution of a data transmission driver when  
11 it is decided to stop the execution of data transmission. However, the examiner notes  
12 that it would have been obvious to one of ordinary skill in the art, in light of logical  
13 reason and common sense, to stop the means for executing data transmission (i.e.  
14 transmission driver) when it is necessary to stop data transmission.

15 Furthermore, it is noted that Rothermel enables:

16 *when said input/output data is acquired from an externally connected bus in said*  
17 *acquisition of input/output data* (Rothermel, 6:15-19; 5:14-17 – Rothermel discloses  
18 blocking the execution of input/output information acquired from a external signal line  
19 (“bus”)).  
20

### 21 ***Response to Arguments***

22

23 Applicants’ arguments filed 6/1/09 have been fully considered but they are not  
24 persuasive.

1

2 *Applicant argues or asserts essentially that:*

3       Purely as an example and in no way limiting to the interpretation of these claims,  
4 the first software of claim 15 relates to S01 and its written description, the second  
5 software of claim 15 relates to S02 and S03 and their written descriptions, the third  
6 software of claim 15 relates to S04 and its written description, the fourth software of  
7 claim 15 relates to S06 and S07 and their written descriptions, and the fifth software of  
8 claim 15 relates to S08 and its written description.

9       Also, and again purely as an example and in no way limiting to the interpretation  
10 of these claims, the sixth software of claim 16 relates to S03 and its written description.  
11 (Claim 16 has been amended to remove reference to seventh software.)

12       Further, and again purely as an example and in no way limiting to the  
13 interpretation of these claims, the sixth software of claim 17 relates to the software  
14 executed by the engine of the unit 18 shown in Figure 5. The written description of this  
15 software is provided in paragraphs 0047 through 0051 of the substitute specification.

16       ...

17       One more comment is appropriate. The use of the qualifiers ~first,' "second," etc.  
18 in front of the word "software" in these claims is merely for convenience so that the  
19 various software can be easily and succinctly distinguished.

20       ...

21       Moreover, these terms are also clear in the context of the present patent  
22 application as demonstrated above.

1           Therefore, claims 15-20 are definite under 35 U.S.C. §112, second paragraph, in  
2           their use of "first software," "second software," etc.

3           (Remarks, pg. 16, 17, 19)

4  
5           *Examiner respectfully responds:*

6           It is respectfully noted that, while the applicant may find it convenient to amend  
7           the claims with the added recitations of various categories of software such (i.e. "first  
8           software", "second software" ... "seventh software"), it is a requisite that the claims  
9           conform to the invention as set forth in the remainder of the specification and the terms  
10          and phrases used in the claims must find clear support or antecedent basis in the  
11          description so that the meaning of the terms in the claims may be ascertainable by  
12          reference to the description (see 37 CFR § 1.75).

13          In the instant case, the examiner respectfully points out that the applicant  
14          appears unwilling or unable to point out the clear support and antecedent basis for the  
15          claimed terminology. For example, the applicant fails to specifically identify any of the  
16          recited "first software", "second software" ... "seventh software", and instead points to  
17          method steps (e.g. S01 - S08 of fig. 8) and generally to a system (e.g. fig. 5). Clearly,  
18          the avenue chosen by the applicant for the sake of convenience does not serve to  
19          easily and succinctly distinguish the recited categories of software.

20  
21  
22          *Applicant argues or asserts essentially that:*

1        Applicants' Argument - There are at least two distinctions between Rothermel  
2 and independent claim 15.

3        First, Rothermel fails to disclose acquiring attribute data that is stored in a user-  
4 information- storage unit for all users and that corresponds to ID information associated  
5 with input/output data that is input or output over a network.

6        On page 7 of the Office Action, the Examiner asserts that network addresses and  
7 group information are user attributes.

8        Rothermel defines a network address as an IP address. (Column 1, lines 36-45.)  
9 Examples of IP addresses are given in column 10, lines 36-42. As can be seen, these  
10 network addresses neither identify a user nor provide any attributes about the user.

11 ...

12        ... However, there is no disclosure in this portion of Rothermel that user  
13 attributes are stored in a user-information-storage unit for all users having authorization  
14 to use a computer.

15 ...

16        ... Again, there is no disclosure here of associating user attributes with user  
17 identities.

18 ...

19        Accordingly, because Rothermel fails to disclose acquiring a user ID and using  
20 that ID to look up an attribute of the user from memory, independent claim 15 is not  
21 anticipated by and is not unpatentable over Rothermel.        (Remarks, pg. 16 - 27)

22

1 *Examiner respectfully responds:*

2       The applicant argues that a user's network address can not be considered an  
3 attribute of a user because "network addresses neither identify a user nor provide any  
4 attributes about the user". Essentially, however, this is merely an allegation and is  
5 unsupported by evidence or rationale.

6       The examiner respectfully notes that this argument has been previously  
7 addressed. Specifically, the examiner maintains that a user's address is a clearly a  
8 property of a user (i.e. "attribute" of a user). It is respectfully noted that the applicants'  
9 argument (*an IP address is not an attribute of the user*) is merely an assertion and is not  
10 supported by evidence or rationale (See, Final Rejection, 3/23/09, pg. 13).

11       Furthermore, in response to the applicants' allegation that "there is no disclosure  
12 in this portion of Rothermel that user attributes are stored in a user-information-storage  
13 unit for all users having authorization to use a computer", the examiner respectfully  
14 notes for the applicants' benefit that this is technically not a claim limitation, and that  
15 claim 15 is merely limited by software that acquires attribute data from a storage unit,  
16 not a recitation of intended use for the storage unit. However, the examiner furthermore  
17 points out that the prior art clearly discloses that the policy information used to  
18 implement the security functionality is stored (Rothermel, 7:50-53; 2:15-23; 4:49-56; fig.  
19 5c; col. 10).

20       Furthermore, in response to the applicants' allegation that "there is no disclosure  
21 in this portion of Rothermel that user attributes are stored in a user-information-storage  
22 unit for all users having authorization to use a computer", the examiner respectfully

1 notes for the applicants' benefit that this is technically not a claim limitation, and that  
2 claim 15 is merely limited by software that acquires attribute data from a storage unit,  
3 not a recitation of intended use for the storage unit. However, the examiner furthermore  
4 points out that the prior art clearly discloses that the policy information used to  
5 implement the security functionality is stored (Rothermel, 7:50-53; 2:15-23; 4:49-56; fig.  
6 5c; col. 10).

7 Furthermore, in response to the applicants' allegations that the prior art fails to  
8 disclose "associating user attributes with user identities" and "acquiring a user ID and  
9 using that ID to look up an attribute of the user from memory", the examiner notes that  
10 the features upon which applicant relies (i.e., "*associating user attributes with user*  
11 *identities*" and "*acquiring a user ID and using that ID to look up an attribute of the user*  
12 *from memory*") are not recited in the rejected claim(s). Although the claims are  
13 interpreted in light of the specification, limitations from the specification are not read into  
14 the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

15  
16 *Applicant argues or asserts essentially that:*

17 Second, Rothermel fails to disclose determining whether input/output data is  
18 invalid based on rules that are stored in a determination-rule-storage unit and that  
19 correspond to user attributes.

20 ...

1           For example, rule 316 of Rothermel as discussed above does not correspond to  
2   a user attribute. Rather, rule 316 is based on an IP address, which at most is a device  
3   attribute and is not a user attribute.

4   ...

5           Accordingly, because Rothermel fails to disclose rules that are based on user  
6   attributes, independent claim 15 is not anticipated by and is not unpatentable over  
7   Rothermel. (Remarks, pg. 27 – 30)

8  
9   *Examiner respectfully responds:*

10          The examiner notes that applicants' second argument is essentially based upon  
11   the applicants' first argument. Namely, applicant is repeating the allegation that does  
12   not disclose a "user attribute" and thus does not teach the claim limitations. Examiner  
13   finds the applicants' argument unpersuasive for the previously stated reasons of record.

14          In response to applicants' argument that the references fail to show certain  
15   features of applicants' invention, it is noted that the features upon which applicant relies  
16   (i.e., *rules that are based on user attributes*) are not recited in the rejected claim(s).

17   Although the claims are interpreted in light of the specification, limitations from the  
18   specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26  
19   USPQ2d 1057 (Fed. Cir. 1993).

20          Applicants' arguments fail to comply with 37 CFR 1.111(b) because they amount  
21   to a general allegation that the claims define a patentable invention without specifically



1 pointing out how the language of the claims patentably distinguishes them from the  
2 references.

3  
4 *Applicant argues or asserts essentially that:*

5 Specifically, the Examiner asserts that the claims do not recite associating  
6 attributes with user ids.

7 Applicants cannot agree.

8 The only way that the attribute information can be stored for users is to stored the  
9 information according to user name or some other id for the user. No other arrangement  
10 would make sense.

11 Moreover, independent claim 15 recites that the third software acquires the  
12 attribute data based on the ID information that identifies a user. In order to acquire that  
13 attribute data from the user-information- storage unit, the attribute data must be stored  
14 in association with the user ID information.

15 ...

16 On page 12 of the Office Action, item (ii), the Examiner insists that aliases such  
17 as IP addresses include attribute data.

18 However, this insistence is not correct for several reasons.

19 First, if an IP address identifies the user, then the IP address is the ID and not  
20 the attribute.

21 Second, IP addresses are routing numbers that identify machines, not users,  
22 and, therefore, cannot be user attributes. That is, an IP address is a numerical ....

1 Third ... and certainly Rothermel does not disclose that the user name is used to  
2 acquire an IP address which is used to acquire a rule. Therefore, the IP address cannot  
3 be an attribute of independent claim 15.

4 Fourth, ... paragraph 0005 of the substitute specification states ...

5 Moreover, paragraph 0042 of the substitute specification discloses ...

6 (Remarks, pg. 30, 31, 32)

7  
8 *Examiner respectfully responds:*

9 The examiner notes that applicants' assertion "*The only way that the attribute*  
10 *information can be stored for users is to stored the information according to user name*  
11 *or some other id for the user. No other arrangement would make sense*" is an  
12 unsupported allegation. For this reason, at least, the examiner does not find the  
13 applicants' argument persuasive. Furthermore, it is noted that applicants' argument  
14 fails to specifically address the claim language as it is found recited.

15 Applicants' arguments fail to comply with 37 CFR 1.111(b) because they amount  
16 to a general allegation that the claims define a patentable invention without specifically  
17 pointing out how the language of the claims patentably distinguishes them from the  
18 references.

19 In response to applicants' argument that the references fail to show certain  
20 features of applicants' invention, it is noted that the features upon which applicant relies  
21 (i.e., *third software acquires the attribute data based on the ID information that identifies*  
22 *a user; the user name is used to acquire an IP address which is used to acquire a rule;*

1 and the statements of paragraph 5 and 42 of the applicants specification) are not recited  
2 in the rejected claim(s). Although the claims are interpreted in light of the specification,  
3 limitations from the specification are not read into the claims. See *In re Van Geuns*, 988  
4 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5  
6 The examiner also notes that applicants' arguments continue to comprise  
7 essentially the same allegation that an IP address can not be considered a "user  
8 attribute". The examiner notes that the applicants' assertions are unpersuasive for the  
9 stated reasons of record.

10 Further, it may be seen that the applicants' arguments of record have primarily  
11 focused on contesting the examiner's interpretation of a "user attribute". Yet, it would  
12 be noteworthy to point out that the applicants' disagreement clearly appears to be  
13 founded upon arbitrary and illogical reasons.

14 First, for example, without defining the term "user attribute", the applicants are  
15 seen to have suggested non-limiting examples of "attributes" that may be associated  
16 with a user, such the department at which a person works (e.g. see applicants'  
17 specification, fig. 6). And yet, while the applicant argues that information representing a  
18 user's place of employment may be called a "user attribute", the applicant unexplicably  
19 argues that that information representing a user's address may not be called a "user  
20 attribute". Thus, with regard to an interpretation of a user attribute, the examiner  
21 respectfully points out that the applicant's distinction between an "address" and a "place"  
22 appears to be arbitrarily fabricated and fails to be based upon any standard definition.

## Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

**See Notice of References Cited.**

A shortened statutory period for reply is set to expire **3** months (not less than 90 days) from the mailing date of this communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

Art Unit: 2437

1           If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
2 supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone  
3 number for the organization where this application or proceeding is assigned is (703)  
4 872-9306.

5           Information regarding the status of an application may be obtained from the  
6 Patent Application Information Retrieval (PAIR) system. Status information for  
7 published applications may be obtained from either Private PAIR or Public PAIR.  
8 Status information for unpublished applications is available through Private PAIR only.  
9 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should  
10 you have questions on access to the Private PAIR system, contact the Electronic  
11 Business Center (EBC) at 866-217-9197 (toll-free).

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13  
14 J. Williams  
15 AU 2437  
16  
17 /Emmanuel L. Moise/  
18 Supervisory Patent Examiner, Art Unit 2437  
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